

REMARKS

This is a divisional application of the U.S. Application Serial No. No. 09/459,201, filed December 10, 1999, which claims the benefit under 35 U.S.C. 119(e) of U.S. Provisional Application Serial No. 60/111,661, filed December 10, 1998.

By the enclosed preliminary amendment, Claims 1, 5, 10, 16-18, 25 and 36-38 have been amended; and Claims 30, 32-33 and 43-47 have been canceled. Upon the entry of this Preliminary Amendment, Claims 1-29, 31, 34-42 will be pending in the present application. These Claims represent the non-elected Group 2 in the parent application Serial No. 09/459,201, filed December 10, 1999.

Attached hereto is Appendix A captioned "Version with Markings to Show Changes Made", and is a marked-up version of the changes made to the claims by the present amendment. In addition, for the convenience of the Examiner, all claims now pending following the entry of the present Preliminary Amendment are reproduced in Appendix B captioned "Pending Claims."

CONCLUSION

Applicants respectfully request that the application, as amended, be examined on its merits by the Examiner.

Respectfully submitted,



Mona Anand
Attorney for Applicants
Reg. No. 34,537

Roche Bioscience
Patent Law Dept.
3401 Hillview Avenue - M/S A2-250
Palo Alto, CA 94304

Direct Phone (650)855-6995

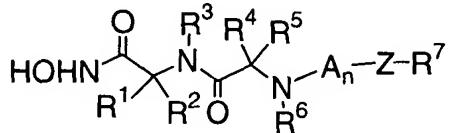
APPENDIX A
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

This application is a divisional application of U.S. Application Serial No. 09/459,201, filed December 10, 1999, which claims the benefit under 35 U.S.C. 119(e) of U.S. Provisional Application Serial No. 60/111,661, filed December 10, 1998, hereby incorporated by reference in its entirety.

IN THE CLAIMS

1. (Amended) A compound selected from the group of compounds represented by Formula (I):



wherein:

R¹ and R⁴ are, independently of each other, hydrogen or alkyl;

R² is: (i) cycloalkyl, cycloalkylalkyl, aryl, aralkyl, aralkenyl, heteroaryl, heteroaralkyl, heteroaralkenyl, heterocyclo or heterocycloalkyl; or

(ii) -(alkylene)-B-X-(alkylene)-B¹-X where B B¹ is -O-, -NR⁸-, -S(O)_n- (where n is 0, 1 or 2), -C=O, -CONR⁸-, -NR⁸CO₂-, NR⁸SO₂- or -C(=NR⁸)NR⁸SO₂- (where R⁸ is H or alkyl), and X is cycloalkyl, cycloalkylalkyl, aryl, aralkyl heteroaryl or heteroaralkyl; or

(iii) -(alkylene)-B-X-(alkylene)-B¹-X where B B¹ is -NR⁸CO- (where R⁸ is H or alkyl), and X is cycloalkyl, cycloalkylalkyl, aryl, aralkyl heteroaryl or heteroaralkyl; or

(iv) R² and R³ form an alkylene or heteroalkylene chain;

R³ is hydrogen or alkyl;

R⁶ is hydrogen, alkyl, cycloalkyl, cycloalkylalkyl, aryl, aralkyl, heteroaryl or heteroaralkyl;

R^5 is:

(i) hydrogen, alkyl, cycloalkyl, cycloalkylalkyl, aryl, aralkyl, aralkenyl, heteroaryl, heteroaralkyl, heteroaralkenyl, heterocycloalkyl, heteroalkyl, or -(alkylene)-C(O)-X¹ where X¹ is alkyl, hydroxy, alkoxy, aryl, aralkyl, aryloxy, aralkyloxy, heteroaryl, heteroaryloxy, heteroaralkyloxy or NR'R'' (where R' and R'' are independently H or alkyl, or R' and R'' form an alkylene chain); or

(ii) R^5 and R^4 form an alkylene chain; or

(iii) R^5 and R^6 form an alkylene chain;

n is 0 or 1;

A is -C(=O)-CH(R⁹)-(CH₂)_m-N(R¹⁰)- wherein:

m is an integer from 0-5 inclusive;

R⁹ is hydrogen, alkyl, cycloalkyl, cycloalkylalkyl, aryl, aralkyl, heteroaryl, heteroaralkyl, heterocycloalkyl, heteroalkyl, or -(alkylene)-C(O)-X¹ where X¹ is alkyl, hydroxy, alkoxy, aryl, aralkyl, aryloxy, aralkyloxy, heteroaryl, heteroaryloxy, heteroaralkyloxy or NR'R'' (where R' and R'' are independently H or alkyl, or R' and R'' form an alkylene chain); and

R¹⁰ is hydrogen, alkyl, aralkyl or heteroaralkyl;

Z is ~~Y-BY-B²~~ wherein:

Y is alkylene or a bond; and

BB^2 is ~~-CO-~~, ~~C(O)O-~~, ~~-CONR⁸-~~, ~~-SO₂-~~, or ~~-SO₂NR⁸-~~ (where R⁸ is hydrogen or alkyl), alkylene (optionally substituted by hydroxy, alkoxy, amino, monoalkylamino or dialkylamino) or a bond;

R^7 is cycloalkyl, cycloalkylalkyl, aryl, aralkyl, heteroaryl or heteroaralkyl;

provided that when n = 0 and Z is SO₂, then R² does not contain an imidazole group; and their pharmaceutically acceptable salts, prodrugs, individual isomers, and mixtures of isomers.

5. (Amended) The compound of Claim 4 wherein:

Z is ~~-C(O)O-~~ or ~~-S(O)₂-~~.

10. (Amended) The compound of Claim 8 wherein:

Z is ~~-C(O)O-~~ and R^7 is optionally substituted benzyl.

16. (Amended) The compound of Claim 3, wherein:

R^2 is ~~(alkylene)-B(alkylene)-B¹-X~~ where $\underline{B}\underline{B}^1$ is -O-, -NR⁸-, -S(O)_n- (where n is 0, 1 or 2), -C=O, -CONR⁸-, -NR⁸CO₂-, -NR⁸SO₂- or -C(=NR⁸)NSO₂- (where R⁸ is H or alkyl), and X is cycloalkyl, cycloalkylalkyl, aryl, aralkyl heteroaryl or heteroaralkyl

17. (Amended) The compound of Claim 16, wherein:

Z is -C(O)O- or -S(O)₂-.

18. (Amended) The compound of Claim 17, wherein R^2 is ~~CH₂-B-X~~ $\underline{CH_2-B^1-X}$ and $\underline{B}\underline{B}^1$ is -NHCO₂- and X is benzyl.

25. (Amended) The compound of Claim 24, wherein:

Z is -C(O)O- or -S(O)₂-.

36. (Amended) The compound of Claim 23, wherein:

R^2 is ~~(alkylene)-B(alkylene)-B¹-X~~ where \underline{B}^1 is -O-, -NR⁸-, -S-, -C=O, -CONR⁸-, -NR⁸CO₂-, -NSO₂- or -C(=NR⁸)NSO₂- (where R⁸ is H or alkyl), and X is cycloalkyl, cycloalkylalkyl, aryl, aralkyl heteroaryl or heteroaralkyl.

37. (Amended) The compound of Claim 36, wherein:

Z is -C(O)O- or -S(O)₂-.

38. (Amended) The compound of Claim 37, wherein R^2 is ~~CH₂-B-X~~ $\underline{CH_2-B^1-X}$ and $\underline{B}\underline{B}^1$ is -NHCO₂- and X is benzyl.

* * * * *